

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellant(s): Takaaki AMANO
Serial No.: 09/863,877
Filed: May 23, 2001
For: **ADVERTISEMENT INFORMATION SUPPLYING SYSTEM**
Examiner: Jean D. Janvier
Group Art Unit: 3622
Confirmation No.: 9471
Attorney Docket No.: 100809-16253 (SCET 18.699)

January 23, 2008

**PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT
PURSUANT TO 37 CFR 1.181 AND 37 CFR 1.10(E)**

To the Commissioner for Patents:

The Applicant recently learned through a telephone call from the Examiner that the Notice of Appeal and Appeal Brief filed October 5, 2007 by "Express Mail Post Office to Addressee" service of the USPS, with sufficient postage, had not been properly docketed to the above-referenced application. A Notice of Abandonment should have been issued for this application on or about January 6, 2008 (the applicant has not yet received the notice of abandonment), following the Office Action dated July 6, 2007.

Thus, the applicant hereby petitions the Commissioner to withdraw any holding of abandonment of the current application and to consider the Notice of Appeal and Appeal Brief filed October 5, 2007.

Pursuant to 37 C.F.R. 1.10(e), Applicants petition the Director to consider such correspondence filed in the Office on the USPS deposit date of October 5, 2007 and submit that the number of the "Express Mail" mailing label was placed on the Notice of Appeal and Appeal Brief prior to the original mailing by "Express Mail". Applicants also submit a copy of the originally deposited papers, showing thereon the number of the "Express Mail" mailing label in a certificate of mailing signed by Frances Doyle. No returned postcard receipt was received.

Also enclosed is a copy of the "Express Mail" mailing label showing the "date-in," a copy of a Track and Confirm and an emailed response to a request for delivery information from the U.S. Postal Service. The Track and Confirm information indicates that the Notice of Appeal and Appeal Brief were delivered on October 9, 2007. Since October 6, 7, and 8 were a Saturday, Sunday, and Federal Holiday, respectively, October 9, was the last day of the three month period for responding. Additionally, Applicants indicated on the Notice of Appeal and Appeal Brief that any extension fees due may be charged to Deposit Account No. 50-1290.

Also enclosed herewith is a statement by Applicant's undersigned attorney in support of the current petition.

In view of the foregoing, it is respectfully requested that the current application be reinstated and the Notice of Appeal and Appeal Brief filed October 5, 2007 be considered.

It is believed that no fee is due with this petition. However, if any fees are due with this paper, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-1290.

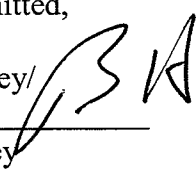
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Please direct any inquiries regarding this petition to the Applicant's undersigned attorney,
who may be reached directly by telephone at (212) 940-6311.

Respectfully submitted,

/Brian E. Hennessey/



Brian E. Hennessey

Reg. No. 51,271

Attorney Docket No.: 100809-16253 (SCET 18.699)

Customer Number: **026304**

Phone: (212)940-8800

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT IN SUPPORT OF PETITION FOR WITHDRAWAL
OF HOLDING OF ABANDONMENT**

I, Brian E. Hennessey (Reg. No. 51,271) declare that:

1. I am the Applicant's attorney for the above-referenced patent application;
2. The petition is being filed promptly after I became aware that the Office had no evidence of receipt of the correspondence;
3. The enclosed Notice of Appeal and Appeal Brief are true copies of the originally mailed correspondence;
4. The enclosed copy of the "Express Mail" mailing label, the Track and Confirm, and emailed response to the request for delivery information from the U.S. Postal Service USPS , are true copies of the original "Express Mail" mailing label, the Track and


Confirm, and emailed response to the request for delivery information from the U.S.

Postal Service; and

5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: January 23, 2008

/Brian E. Hennessey/
Brian E. Hennessey

A handwritten signature in black ink, appearing to read 'B E Hennessey', is written over the printed name.

Attorney Docket No.: 100809-16253 (SCET 18.699)

Customer Number: **026304**

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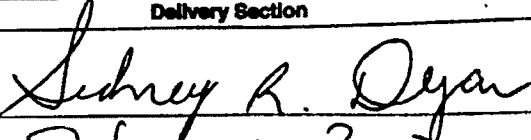


Date: 01/17/2008

Frances Doyle:

The following is in response to your 01/17/2008 request for delivery information on your Express Mail item number EV47 9707 160U S. The delivery record shows that this item was delivered on 10/09/2007 at 08:53 AM in ALEXANDRIA, VA 22313 to S DYAR. The scanned image of the recipient information is provided below.

Signature of Recipient:

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Signature	
Printed Name	SIDNEY R. DYAR

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